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Security Council

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Letter dated 20 March 2003 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit to you the statement on Iraq of 20 March 2003 by the President of the Russian Federation, V. Putin.

I would be grateful if the text of the present letter and its annex could be distributed as a document of the Security Council.

(*Signed*) Sergey **Lavrov**

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Annex to the letter dated 20 March 2003 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Statement by the President of the Russian Federation

Today the United States of America started military action against Iraq. Already there are human victims and destruction. A whole region is under the threat of a large-scale humanitarian and environmental disaster.

Let me stress from the outset that the military action is taking place in defiance of world public opinion and in violation of the principles and norms of international law and the Charter of the United Nations.

Nothing can justify this military action — neither accusations that Iraq is supporting international terrorism (we have never had, and still do not have, information of this kind), nor the desire to change the political regime in that country, which is in direct contradiction with international law. Political regimes can be determined only by the citizens of the State in question.

Finally, there was no need to launch military action in order to answer the key question that was posed directly by the international community, namely, does Iraq have, or does it not have, weapons of mass destruction, and if it does, what should be done, and within what time frame, in order to liquidate them?

Furthermore, at the start of the operation, Iraq posed no threat either to neighbouring States or to other countries or regions of the world because, especially after a 10-year blockade, it was a weak country, both militarily and economically. It was even less of a danger because international inspectors were working there. Indeed, their activities had recently produced significant positive results.

I should like to note that joint work within the Security Council, including joint work with the United States of America, and the unanimous adoption of resolution 1441 (2002), which does not authorize the use of force, but made it possible for the activities of the international inspectors to resume, as well as a range of other measures taken to pressure the Iraqi leadership, marked the start of practical activities to disarm Iraq by peaceful means.

In this connection, regafdless of how the situation around Iraq develops, on behalf of the Russian Federation, as a permanent member of the Security Council, I should like to express gratitude and appreciation to the Secretary-General and the international inspectors. They performed their duties conscientiously and with integrity, and in the process displayed a high level of professionalism and courage. I am sure that the institution of international inspectors will be called upon again by the international community.

The military action against Iraq is a major political mistake. I have already referred to the humanitarian aspect. However, the threat of the disintegration of the established system of international security causes at least as much concern.

If we allow international law to be replaced by the "law of the fist", whereby might is always right and is entitled to do anything and, in choosing the means to achieve its ends, is not constrained by anything, then one of the basic principles of international law will be called into question, and that is the principle of the

immutable sovereignty of States. And then no one, not a single country in the world, will feel secure, and the vast hotbed of instability that has now emerged will spread and will have negative consequences for other regions of the world.

It is for these reasons that the Russian Federation insists on the early termination of military action. We remain convinced that the central role in resolving crises in the world, including the situation around Iraq, must belong to the Security Council.

I should like to stress that the Russian Federation is committed to trying to put this situation back on a peaceful course and to achieving a genuine solution of the issue of Iraq on the basis of Security Council resolutions, a solution that would take into account the legitimate interests of the Iraqi people and respect for the sovereignty and territorial integrity of that country.

The Kremlin, Moscow, 20 March 2003

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General Assembly
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Agenda item 54
Question of Cyprus

Security Council
Fifty-eighth year

Letter dated 19 march 2003 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 30 December 2002, I have the honour to draw your attention to new violations of the flight information region (FIR) of Nicosia and the national airspace of the Republic of Cyprus by military aircraft of the Turkish Air Force recorded on 29 December 2002; on 7, 15, 17, 20, 22, 24, 25, 28, 29 and 30 January 2003; on 19, 23, 24, 25, 26, 27 and 28 February 2003; and on 5, 10, 11, 13 and 14 March 2003, as follows.

On 29 December 2002, one (1) C-650 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Mesaoria, before landing at the illegal airport of Lefkoniko in the occupied area of the Republic. The aircraft departed from the illegal airport of Lefkoniko the following day.

On 7 January 2003, four (4) F-4 Turkish military aircraft, coming from the FIR of Ankara, flying in one formation, entered the Nicosia FIR, violating the international air traffic regulations before exiting in a westerly direction.

On 15 January 2003, one (1) Turkish military aircraft of unknown type took off from the illegal airport of Krini in the occupied area of the Republic, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Mesaoria, exited towards the FIR of Ankara.

On 17 January 2003, one (1) Turkish military aircraft of unknown type entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Karpasia, before landing at the illegal airport of Lefkoniko in the occupied area of the Republic of Cyprus. The aircraft returned on the same day to the FIR of Ankara.

On 20 January 2003, one (1) CN-235 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Mesaoria, before landing at the illegal airport of Lefkoniko in the occupied area of the Republic. The aircraft returned on the same day to the FIR of Ankara.

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On 22 January 2003, two (2) F-16 Turkish military aircraft, coming from the FIR of Ankara, flying in one formation, entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Cape Kormakitis, before exiting in a westerly direction.

On 22 January 2003, four (4) F-4 Turkish military aircraft, in one formation, entered the Nicosia FIR, coming from the FIR of Ankara, violating international air traffic regulations, before exiting in a westerly direction.

On 24 January 2003, one (1) Turkish military aircraft of unknown type took off from the illegal airport of Krini at the occupied area, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Mesaoria, before exiting towards the FIR of Ankara.

On 25 January 2003, one (1) CN-235 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Mesaoria before landing at the illegal airport of Lefkoniko in the occupied area of Cyprus. The aircraft departed from Cyprus on the same day.

On 28 January 2003, one (1) C-650 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, before landing at the illegal airport of Lefkoniko in the occupied area. The aircraft departed from Cyprus on the same day.

On 29 January 2003, one (1) Turkish military aircraft of unknown type (probably B-200) entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Mesaoria, before landing at the illegal airport of Lefkoniko in the occupied area of Cyprus, from where it departed on the same day.

On 29 January 2003, four (4) Turkish military aircraft (two F-4 and two F-16), in one formation, entered the Nicosia FIR, coming from the FIR of Ankara, violating international air traffic regulations, before exiting in the same direction.

On 30 January 2003, one (1) B-200 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over Mesaoria, before landing at the illegal airport of Lefkoniko in the occupied area of Cyprus, from where it departed on the same day.

On 19 February 2003, one (1) CN-235 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Mesaoria before landing at the illegal airport of Lefkoniko in the occupied area of Cyprus, from where it departed on the same day.

On 23 February 2003, one (1) C-130 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Karpasia (Cape of Apostolos Andreas) before exiting in a south-easterly direction. The aircraft returned on the same day.

On 24 February 2003, four (4) F-16 Turkish military aircraft, flying in one formation, six (6) F-4, flying in one formation, one (1) CN-235, one (1) B-200 and one Turkish military aircraft of unknown type, entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) The two formations and the aircraft of the unknown type entered the Nicosia FIR, flying over the area of Karpasia (Cape of Apostolos Andreas) before exiting in a south-easterly direction. They returned on the same day, in the same direction;

(b) The formations of F-16 and F-4 violated the national airspace of the Republic of Cyprus over the area of Cape of Apostolos Andreas;

(c) The CN-235 aircraft violated the national airspace of the Republic of Cyprus over the area of Cape of Apostolos Andreas in a search and rescue mission, before exiting towards the FIR of Ankara;

(d) The B-200 entered the Nicosia FIR coming from the FIR of Ankara, violating international air traffic regulations and the national airspace of the Republic of Cyprus, before landing at the illegal airport of Lefkoniko in the occupied area.

On 25 February 2003, one (1) B-200 Turkish military aircraft took off from the illegal airport of Lefkoniko in the occupied area, where it had landed on 24 February, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Mesaoria. The aircraft exited towards the FIR of Ankara.

On 26 February 2003, four (4) F-16 Turkish military aircraft, flying in two formations, one (1) CN-235, one (1) KC-135 and one (1) C-160 Turkish military aircraft entered the Nicosia FIR coming from the FIR of Ankara, violating international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) The two formations of F-16, the KC-135 and the C-160 aircraft entered the Nicosia FIR, flying over the area of Cape of Apostolos Andreas, before exiting in a south-easterly direction. The aircraft returned on the same day, in the same direction;

(b) The CN-235 aircraft in a search and rescue mission violated international air traffic regulations and the national airspace of the Republic of Cyprus, before exiting towards the FIR of Ankara;

(c) The KC-135 escorted one formation of F-16 before exiting towards the FIR of Ankara;

(d) The C-160 violated international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the Cape of Apostolos Andreas before exiting towards the FIR of Ankara.

On 27 February, four (4) F-16 in five formations, four (4) F-4 in one formation, one (1) CN-235 and three (3) KC-135 Turkish military aircraft, coming from the FIR of Ankara, entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) The six formations of F-16 and F-4 and the three KC-135 entered the Nicosia FIR and flying over the occupied area of Cape of Apostolos Andreas, exited in a south-easterly direction, from where they returned on the same day in the same direction;

(b) Four formations of F-16 violated the national airspace of the Republic of Cyprus, while exiting in a south-easterly direction;

(c) Three KC-135 escorted the military aircraft. Two of these violated the international air traffic regulations and the national airspace of the Republic of Cyprus, while returning over the area of Cape of Apostolos Andreas;

(d) Two CN-235 in a search and rescue mission violated international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Cape of Apostolos Andreas, before returning towards the FIR of Ankara.

On 28 February 2003, four (4) F-16 in four formations, one (1) CN-235, two (2) KC-135 and one (1) C-130 Turkish military aircraft coming from the FIR of Ankara entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) Four formations of F-16, two KC-135 and one C-130 entered the Nicosia FIR, flying over the area of Cape of Apostolos Andreas and exiting in a south-easterly direction, from where they returned on the same day, in the same direction;

(b) The two formations of F-16 and one C-130 violated the international air traffic regulations and the national airspace of the Republic of Cyprus, over the area of Cape of Apostolos Andreas;

(c) The F-16 formations were escorted by the KC-135 aircraft;

(d) The CN-235, in a search and rescue mission, flying over the area of Cape of Apostolos Andreas, violating international air traffic regulations and the national airspace of the Republic of Cyprus, before exiting towards the FIR of Ankara.

On 5 March 2003, one (1) Turkish military aircraft of unknown type entered the Nicosia FIR, violating the international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Mesaoria, before landing at the illegal airport of Lefkoniko. The aircraft returned on the same day.

On 5 March 2003, two (2) F-4 Turkish military aircraft in two formations, coming from the FIR of Ankara, entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, before exiting towards the FIR of Ankara.

On 10 March 2003, one (1) CN-235 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Mesaoria before landing at the illegal airport of Lefkoniko, in the occupied area of Cyprus.

On 11 March 2003, four (4) RF-4 Turkish military aircraft, flying in one formation, entered the Nicosia FIR, coming from the FIR of Ankara, violating international air traffic regulations, before exiting in a westerly direction.

On 13 March 2003, four (4) Turkish military aircraft of unknown type entered the Nicosia FIR, coming from the FIR of Ankara, violating international air traffic

regulations and the national airspace of the Republic of Cyprus, before exiting in a westerly direction.

On 14 March 2003, two (2) F-16 Turkish military aircraft, flying in one formation, entered the Nicosia FIR coming from the FIR of Ankara, violating international air traffic regulations and the national airspace of the Republic of Cyprus, before exiting in a westerly direction.

On 14 March 2003, one (1) CN-235 Turkish military aircraft took off from the illegal airport of Lefkoniko, in the occupied area, where it had landed on 10 March, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Mesaoria, before exiting towards the FIR of Ankara.

On behalf of the Government of the Republic of Cyprus, I strongly protest all the above-mentioned violations of the Nicosia FIR and the national airspace of the Republic of Cyprus, which violate international law as well as Security Council resolutions on Cyprus, and call for their immediate cessation. It is hoped that the Government of Turkey will show restraint and respect of the sovereignty of the Republic of Cyprus. The Government of Turkey should also heed the appeals of the international community to change its own negative stance and its backing for the Turkish-Cypriot leadership, which does not reflect the will of the Turkish-Cypriot community, in order to contribute to the efforts to find a just and functional solution to the Cyprus problem, on the basis of United Nations resolutions.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 54, and of the Security Council.

(*Signed*) Sotos **Zackheos**
Ambassador
Permanent Representative

United Nations S/2003/350

Security Council

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21 March 2003

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Letter dated 20 March 2003 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

I have the honour to inform you on behalf of my Government that the Armed Forces of the United Kingdom — in association with those of the United States and Australia — engaged in military action in Iraq on 20 March 2003. The action is continuing.

The action follows a long history of non-cooperation by Iraq with the United Nations Special Commission (UNSCOM), the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) and numerous findings by the Security Council that Iraq has failed to comply with the disarmament obligations imposed on it by the Council, including in resolutions 678 (1990), 687 (1991) and 1441 (2002). In its resolution 1441 (2002), the Council reiterated that Iraq's possession of weapons of mass destruction constitutes a threat to international peace and security; that Iraq has failed, in clear violation of its obligations, to disarm; and that in consequence Iraq is in material breach of the conditions for the ceasefire at the end of hostilities in 1991 laid down by the Council in its resolution 687 (1991). Military action was undertaken only when it became apparent that there was no other way of achieving compliance by Iraq.

The objective of the action is to secure compliance by Iraq with its disarmament obligations as laid down by the Council. All military action will be limited to the minimum measures necessary to secure this objective. Operations will be conducted in accordance with the international laws of armed conflict. Targets have been carefully chosen to avoid civilian casualties.

I would be grateful if you could circulate the text of the present letter as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**

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Security Council

Distr.: General
21 March 2003

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Letter dated 20 March 2003 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council

Coalition forces have commenced military operations in Iraq. These operations are necessary in view of Iraq's continued material breaches of its disarmament obligations under relevant Security Council resolutions, including resolution 1441 (2002). The operations are substantial and will secure compliance with those obligations. In carrying out these operations, our forces will take all reasonable precautions to avoid civilian casualties.

The actions being taken are authorized under existing Council resolutions, including its resolutions 678 (1990) and 687 (1991). Resolution 687 (1991) imposed a series of obligations on Iraq, including, most importantly, extensive disarmament obligations, that were conditions of the ceasefire established under it. It has been long recognized and understood that a material breach of these obligations removes the basis of the ceasefire and revives the authority to use force under resolution 678 (1990). This has been the basis for coalition use of force in the past and has been accepted by the Council, as evidenced, for example, by the Secretary-General's public announcement in January 1993 following Iraq's material breach of resolution 687 (1991) that coalition forces had received a mandate from the Council to use force according to resolution 678 (1990).

Iraq continues to be in material breach of its disarmament obligations under resolution 687 (1991), as the Council affirmed in its resolution 1441 (2002). Acting under the authority of Chapter VII of the Charter of the United Nations, the Council unanimously decided that Iraq has been and remained in material breach of its obligations and recalled its repeated warnings to Iraq that it will face serious consequences as a result of its continued violations of its obligations. The resolution then provided Iraq a "final opportunity" to comply, but stated specifically that violations by Iraq of its obligations under resolution 1441 (2002) to present a currently accurate, full and complete declaration of all aspects of its weapons of mass destruction programmes and to comply with and cooperate fully in the implementation of the resolution would constitute a further material breach.

The Government of Iraq decided not to avail itself of its final opportunity under resolution 1441 (2002) and has clearly committed additional violations. In view of Iraq's material breaches, the basis for the ceasefire has been removed and use of force is authorized under resolution 678 (1990).

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Iraq repeatedly has refused, over a protracted period of time, to respond to diplomatic overtures, economic sanctions and other peaceful means, designed to help bring about Iraqi compliance with its obligations to disarm and to permit full inspection of its weapons of mass destruction and related programmes. The actions that coalition forces are undertaking are an appropriate response. They are necessary steps to defend the United States and the international community from the threat posed by Iraq and to restore international peace and security in the area. Further delay would simply allow Iraq to continue its unlawful and threatening conduct.

It is the Government of Iraq that bears full responsibility for the serious consequences of its defiance of the Council's decisions.

I would be grateful if you could circulate the text of the present letter as a document of the Security Council.

(*Signed*) John D. **Negroponte**

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Security Council

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20 March 2003

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Letter dated 20 March 2003 from the Permanent Representative of Australia to the United Nations addressed to the President of the Security Council

I have the honour to inform you on behalf of my Government that the Australian Defence Force — in association with the Armed Forces of the United States of America and the United Kingdom — engaged in military action in Iraq on 20 March 2003. The action is continuing.

The action follows a long history of non-cooperation by Iraq with the United Nations Special Commission (UNSCOM), the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) and numerous findings by the Security Council that Iraq has failed to comply with its disarmament obligations under Security Council resolutions. In its resolution 1441 (2002), the Council recognized that Iraq's possession of weapons of mass destruction constitutes a threat to international peace and security, that Iraq has failed, in clear violation of its obligations, to disarm and that in consequence Iraq is in material breach of the conditions for the ceasefire at the end of hostilities in 1991 laid down by the Council in its resolution 687 (1991). Military action was undertaken consistent with resolutions 678 (1990), 687 (1991) and 1441 (2002) only when it became apparent that there was no other way of achieving compliance by Iraq.

The objective of the action is to secure compliance by Iraq with its disarmament obligations as laid down by the Council. All military action will be limited to the minimum measures necessary to secure this objective. Operations will be conducted in accordance with the international laws of armed conflict. Great care will be taken to confine damage to military targets and to avoid civilian casualties.

I would be grateful if the present letter could be circulated as a document of the Security Council.

(*Signed*) John **Dauth**

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Security Council

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21 March 2003

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Letter dated 20 March 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I write with reference to my letter of 13 June 2002 (S/2002/668).

The Counter-Terrorism Committee has received the attached supplementary report from Afghanistan submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

03-29552 (E) 010403

Annex

Note verbale dated 10 March 2003 from the Permanent Mission of Afghanistan to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

The Permanent Mission of Afghanistan to the United Nations presents its compliments to the Chairman of the Counter-Terrorism Committee and has the honour to submit herewith the follow-up report of the transitional government of Afghanistan (see enclosure), as requested in the letter dated 4 February 2003 from the Counter-Terrorism Committee addressed to Ravan Farhadi, the Ambassador and Permanent Representative of Afghanistan to the United Nations.

Enclosure

Follow-up report: transitional government of Afghanistan

As indicated in the previous letters dated 10 June 2002 and 13 February 2003 from the Permanent Mission of Afghanistan to the United Nations addressed to the Chairman of the Counter-Terrorism Committee, the Government of Afghanistan, from the outset, has been a vital member of the international coalition in the fight against terrorism. It should also be mentioned that the armed forces of Afghanistan have incessantly been engaged in combating and containing the spread of terrorism in Afghanistan and the region since the emergence of the Taliban and al-Qa'idah terrorist networks.

With regard to the request of the Counter-Terrorism Committee (CTC) concerning information pertaining to laws and administrative measures dealing directly with terrorism, the transitional government would like to inform the Committee that no such law(s) exist. However, the penal code of Afghanistan does contain provisions forbidding criminal activities threatening the internal and external security of Afghanistan.

The following articles of the Penal Code stipulate that specific criminal activities are considered as an act of crime:

- Articles 173-253 stipulate that an attack against any civil servants or public officers is considered as an act of crime
- Articles 344-345 prohibit any destruction of public property and edifice
- Articles 333-339 forbid the provision of safe haven and protection to offenders
- Articles 360-366 state that conducting arson and detonating explosive devices are considered as acts of crime
- Articles 394-397 assert that any individual(s) involved in the slaying of another would be held accountable by law
- Articles 414-417 maintain that "kidnapping" is considered as an act of crime
- Articles 433-435 provide that "threat" will also be considered as an act of crime. Finally, article 51 of the Passport Law prohibits the issuance of passports for any individual indicted of a crime or felony

The foregoing articles dealing with common criminal activities are not sufficient in combating terrorist acts. To this effect, given the fact that Afghanistan is in the process of restructuring its legal and security apparatus owing to two decades of armed conflict, the Government of Afghanistan would like once again to request CTC to dispatch an assessment team to Afghanistan in order to assist in the adoption of legislative acts and administrative measures necessary to meet the requirements mandated in resolution 1373 (2001).